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**OFFICE OF PETITIONS**

In re Application of :  
Enatsu et al. :  
Application No. 10/530,161 : LETTER REGARDING  
Filed: January 17, 2006 : PATENT TERM ADJUSTMENT  
Attorney Docket No. 9683/236 :

This letter is in response to the "REQUEST FOR REVIEW OF PATENT TERM ADJUSTMENT" filed July 11, 2008. Pursuant to applicants' duty of good faith and candor to the Office, applicants disclose that the patent term adjustment indicated on the front of the patent as one hundred ninety-one (191) days may extend the term of this patent by too many days.

The request for correction of the initial determination of patent term adjustment (PTA) is **DISMISSED**.

On June 26, 2008, the Office mailed the Determination of Patent Term Adjustment under 35 U.S.C. 154(b) in the above-identified application. The Notice stated that the patent term adjustment to date is 191 days. Applicants do not state any basis for their disclosure that this PTA may extend the patent by too many days.

The application history has been reviewed and it has been decided that the determination of patent term adjustment is correct. The review revealed no error in this calculation. Applicants should advise the Office of any specific basis for correction of the PTA.

The determination of PTA at the time of the mailing of the notice of allowance of one hundred ninety-one (191) days is correct.

As this letter was submitted as an attempt to advise the Office of an error in Applicants' favor, the Office will not assess the \$200.00 fee under 37 CFR 1.18(e). The Office thanks applicants for their good faith and candor in bringing this to the attention of the Office.

The Office of Patent Publication has been advised of this decision. The application is, thereby, forwarded to the Office of Patent Publication for issuance of the application. The patent term adjustment indicated on the patent (as shown on the Issue Notification mailed about three weeks prior to patent issuance) will include any additional adjustment accrued both for Office delay in issuing the patent more than four months after payment of the issue fee and satisfaction of all outstanding requirements, and for the Office taking in excess of three years to issue the patent (to the extent that the three-year period does not overlap with periods already accorded).

Telephone inquiries specific to this decision should be directed to the undersigned at (571) 272-3219.



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